



JAN 28 2002

Q115  
JC165  
3-16

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/880,503	06/13/2001	Douglas B. Cines	9596-331 (053893-5034)

## CONFIRMATION NO. 5341

## FORMALITIES LETTER



\*0C00000006342111\*

028977  
 MORGAN, LEWIS & BOCKIUS LLP  
 1701 MARKET STREET  
 PHILADELPHIA, PA 19103-2921

Date Mailed: 07/25/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

01/31/2002 MWOLDER1 00000075 10087511

02 FC:205

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

*sector \$*

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW:

DATE: January 6, 2002

PATENT  
BOX MISSING PARTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Re: Patent Application of  
Douglas B. Cines, et al.

: Group Art Unit: 1614

**COPY OF PAPERS  
ORIGINALLY FILED**

Appln. No.: 09/880,503 : Examiner: Not Yet Assigned  
Filed: June 13, 2001 :  
Title: COMPOSITIONS AND METHODS : Attorney Docket  
FOR MODULATING MUSCLE CELL : No. 53893-5034  
AND TISSUE CONTRACTILITY : (Client Matter No. 9596-331)

**TRANSMITTAL OF MISSING PARTS OF APPLICATION –  
FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated July 25, 2001, the following is submitted herewith:

- Copy of the Notice to File Missing Parts of Application – Filing Date Granted, mailed July 25, 2001.
- No Notice to File Missing Parts has been received.
- One (1) Declaration and Power of Attorney.
- Verified English translation of application as filed.
- Priority document(s): Certified copy(ies) of \_\_\_\_\_ patent application No(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_ from which priority is claimed under 35 U.S.C. §119.
- Formal drawings: 14 sheets.
- Information Disclosure Statement, Form PTO-1449, and cited references.
- Preliminary Amendment.
- Nucleotide and/or Amino Acid Sequence Submission, including:
  - Computer readable copy       Paper Copy       Verified Statement
- Petition for a four (4) Month Extension of Time and requisite fee.
- Request for Refund.
- Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.
- Notice of Change of Address

- Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as [ ] an Independent Inventor, or [ ] a Small Business Concern, or  a Non-Profit Organization.
- The following fees noted below are being paid:
- Surcharge of **\$65.00** for late filing of filing fee and/or Declaration and Power of Attorney.  
 Surcharge of **\$65.00** for late filing of English translation.  
 Surcharge of **\$720.00** for a four Month Extension of Time.
- Enclosed is our firm's check in the amount of **\$785.00** for the above fee.
- The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-0310 (billing code 53893-5034) as noted below.
- The above-calculated fee(s) calculated totaling \$ \_\_\_\_\_.00.  
 Any overpayments or deficiencies in the above-calculated fee(s).  
 Any additional fees required under 37 C.F.R. §1.16 or §1.17.  
 In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. §1.136(a) to our Deposit Account noted above.

Respectfully submitted,

**DOUGLAS B. CINES, ET AL.**

January 8, 2002  
Date

By: Kathryn Doyle  
KATHRYN DOYLE, Ph.D., J.D.  
Registration No. 36,317  
MORGAN, LEWIS & BOCKIUS, L.L.P.  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: (215) 963-5000  
Direct Dial: (215) 963-4723  
Facsimile: (215) 963-5299  
E-Mail: kdoyle@morganlewis.com

/dp

Enclosures (check; copy of Notice to File Missing Parts; executed Declaration, Formal Drawings Transmittal Letter; 14 sheets of formal drawings; Petition for a Four Month Extension of Time)

JAN 28 2002

PATENT & TRADEMARK OFFICE

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Douglas Cines

DATE: January 1, 2002

**PATENT  
BOX NON-FEE AMENDMENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of	:	Group Art Unit: 1614
	Cines et al.	:	
Appln. No:	09/880,503	:	
Filed:	June 13, 2001	:	Attorney Docket
For:	COMPOSITIONS AND METHODS FOR	:	No. 9596-331
	MODULATING MUSCLE CELL AND TISSUE	:	(053893-5034)
	CONTRACTABILITY	:	

**TRANSMITTAL OF FORMAL DRAWINGS**

**Attention Official Draftsperson:**

Enclosed are fourteen (14) sheets of formal drawings, Figures 1 through 8, corresponding to the above-identified application. It is respectfully submitted that the enclosed formal drawings are in acceptable form.

Respectfully submitted,

**DOUGLAS B. CINES**

January 1, 2002  
(Date)

By:

Kathryn Doyle  
**KATHRYN DOYLE, Ph.D., J.D.**  
Registration No. 36,317  
MORGAN, LEWIS & BOCKIUS, L.L.P.  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: (215) 963-5000  
**Direct Dial: (215) 963-4723**  
Facsimile: (215) 963-5299  
E-Mail: kdoyle@morganlewis.com

KD/JAI